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Before The FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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In the Matter of	)	FEDERAL COMMUNICATIONS COMMISSES	n+l
Amendment of Section 73.622(b)	) MM Dock	ACTION OF THE COMPTAIN	
DTV Table of Allotments	) RM No.		
Television Broadcast Stations	)		
(Georgetown, South Carolina)	)		

To: Magalie Roman Salas, Secretary for direction to
The Hon. Roy J. Stewart, Chief Mass Media Bureau

#### PETITION FOR RULEMAKING

- 1. Community Television, Inc. petitions the Commission to institute a rulemaking proceeding to amend Section 73.622(b) of its rules to allot digital channel 38 to Georgetown, South Carolina as a reserved channel. The proposed amendment would add the following listing to Section 73.622(b): "Georgetown, South Carolina, \*38". Additionally, "Georgetown, South Carolina, \*41" would be deleted from Section 73.606(b).
- 2. This proposal is in accordance with all technical and engineering requirements as shown in the attached Engineering Statement of Kevin T. Fisher of the firm Smith and Fisher, whose credentials are well-established and known by the Commission. It is contingent upon a change of the paired digital channel 38 of WQHB, Sumter, South Carolina, to digital channel 39 as sought by the licensee of WQHB by petition for rulemaking filed May 1, 2000.
  - 3. This proposal serves the public interest. The analog

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table of allotments, Section 73.606(b), contains a reserved channel at Georgetown, channel 41. This reserved allotment was not replicated in the digital table of allotments, Section 73.622(b).

- 4. Since 1996, Community Television, Inc. has had on file an application for construction permit for a noncommercial educational television broadcast station on analog channel 41 (BPET-960628KO). However, as Mr. Fisher's statement shows, this application would cause irreparable interference to digital television assignments. Accordingly, the pending application is subject to dismissal under public notices DA 99-2605 and DA 00-536 and channel 41 is no longer a viable channel in the analog table of assignments.
- 5. The instant proposal will restore the reserved allotment to Georgetown for which a demonstrated interest of Community Television, Inc. has been on file for the past four years. The instant proposal will also take advantage of the spectrum opportunity made available by WQHB's allotment proposal, which, in turn, materially improves its digital coverage of the Sumter area. There is, then, a two-fold public interest result from the tandem of the two rulemaking proposals. As the Commission's records show, there are common directorship interests in Community Television, Inc. and the parent corporation of the licensee of WQHB.
- 6. If the Commission grants this petition and modifies the digital table of allotments accordingly, Community Television,

Inc. is committed to applying for and constructing the noncommercial educational station at Georgetown, South Carolina, on digital channel 38.

Respectfully submitted,

Gene A. Bechtel

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Counsel for Community Television, Inc.

July 14, 2000

#### **EXHIBIT A**

### **ENGINEERING STATEMENT**

The engineering data contained herein have been prepared on behalf of COMMUNITY TELEVISION, INC., applicant for the noncommercial television NTSC Channel 41 assignment in Georgetown, South Carolina (BPET-960628KO) in support of its Petition for Rulemaking to substitute noncommercial DTV Channel 38 for noncommercial NTSC Channel 41 in Georgetown, South Carolina.

According to the Commission's Public Notice DA 99-2605, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations," released November 22, 1999, applicants for NTSC allotments which cause irreparable predicted interference to digital television assignments and proposals have been afforded an opportunity to find an alternate NTSC or DTV channel which meets the FCC's interference protection criteria. The above Channel 41 proposal in Georgetown causes significant interference to the service of WIS-DT on Channel 41 in Columbia, South Carolina. Our detailed channel search reveals that no NTSC replacement channel is available in Georgetown that meets the analog spacing requirements of §73.610, as well as the DTV interference criteria of §73.623(c). However, we have determined that DTV Channel 38 can be used in Georgetown from a specific site and with specific operating parameters. This channel is available due to the pending Petition for Rulemaking to change the DTV assignment of WQHB-DT (Sumter, South Carolina) from Channel 38 to Channel 39.

The proposed site, at 33° 25' 58", 79° 16' 16", is plotted in Exhibit B. A 146-meter nonbroadcast communications tower exists there. For the purposes of our interference

#### **EXHIBIT A**

studies, we assumed that a Propagation Systems (PSI) directional antenna would be sidemounted on this tower, as shown in Exhibit C. The proposed effective antenna height is 148 meters AMSL, and the main-lobe maximum ERP is 500 kw. Proposed operating parameters are listed in Exhibit D, and Exhibit E provides the antenna radiation pattern data for the proposed antenna, which is to be oriented with the main lobes of radiation at 40° and 220° true. Exhibit F is a tabulation of terrain and contour data for the proposed facility.

The predicted 41 dbµ contour is plotted in Exhibit G. As shown, the entire community of Georgetown is contained within the proposed 41 dbµ contour, as required by §73.623(c)(1) of the Rules. Exhibit H is an interference study, which concludes that the proposed facility meets the requirements of §73.623(c)(2) of the Rules with respect to both NTSC and DTV facilities and is therefore in accordance with the terms of the aforementioned public notice. In addition, the Channel 38 DTV facility as proposed herein does not cause predicted interference to any Low Power Television station that filed for Class A eligibility.

It is thus requested that the FCC delete analog Channel 41 in Georgetown, South Carolina, by changing §73.606(b) of its Table of [NTSC] Allotments, as follows:

Community	Present Allotments	Proposed Allotments
Georgetown, South Carolina	*41-	

Further, we request that the Commission add noncommercial Channel 38 in Georgetown, South Carolina, to its §73.622(b) Digital Television Table of Allotments, as follows:

Community Present Allotments Proposed Allotments

Georgetown, South Carolina \*38

WASHINGTON, D.C.

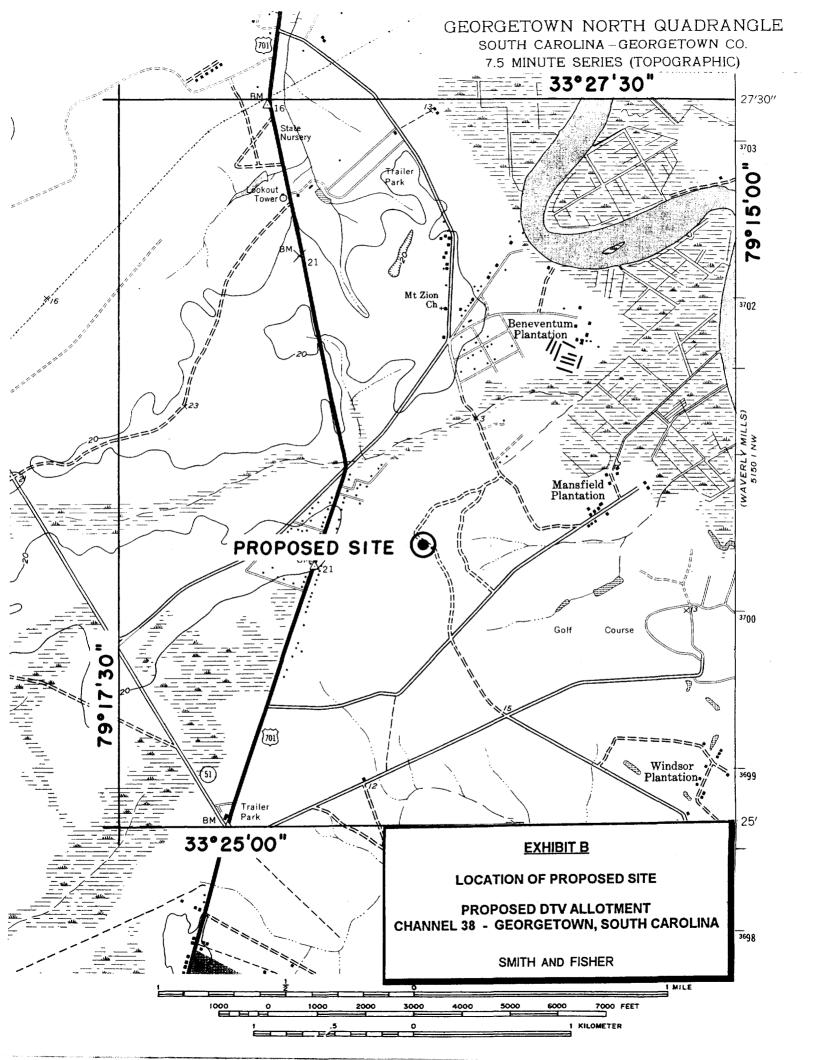
#### SMITH AND FISHER

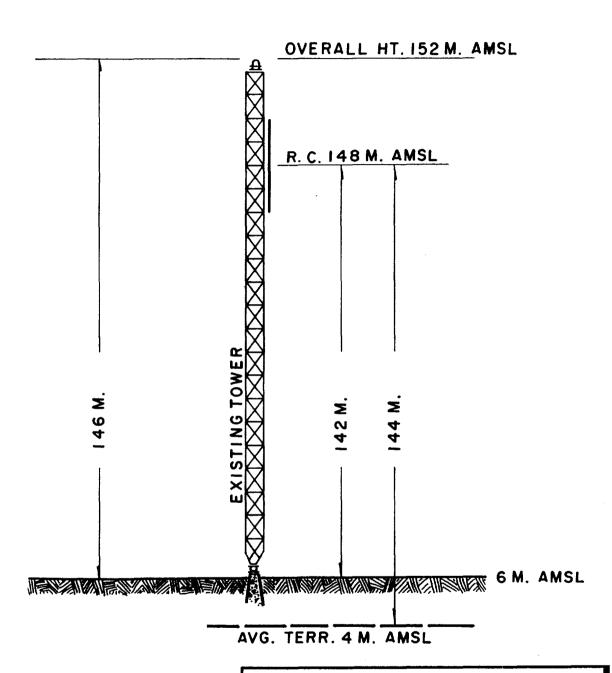
## **EXHIBIT A**

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.

KEVIN T. FISHER

April 28, 2000





## SITE COORDINATES:

33° 25' 58" 79° 16' 16"

## **EXHIBIT C**

**ELEVATION OF ANTENNA STRUCTURE** 

PROPOSED DTV ALLOTMENT
CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

SMITH AND FISHER

### SMITH AND FISHER

#### **EXHIBIT D**

#### PROPOSED OPERATING PARAMETERS

# PROPOSED DTV ALLOTMENT CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

Channel Number: 38

Zone: 2

Site Coordinates: 33-25-58N

79-16-16W

Antenna Structure Registration Number: 1054624

Tower Site Elevation (AMSL): 6 meters

Overall Tower Height Above Ground: 146meters

Overall Tower Height Above (AMSL): 152 meters

Effective Antenna Height Above Ground: 142 meters

Effective Antenna Height (AMSL): 148 meters

Average Terrain Elevation (2-10 miles): 4 meters

Effective Antenna Height Above

Average Terrain: 144 meters

Antenna Make and Model: PSI PSILP16PN

Orientation: 40° T/220° T

Electrical Beam Tilt: 1.0°
Polarization: Horizontal

Effective Radiated Power

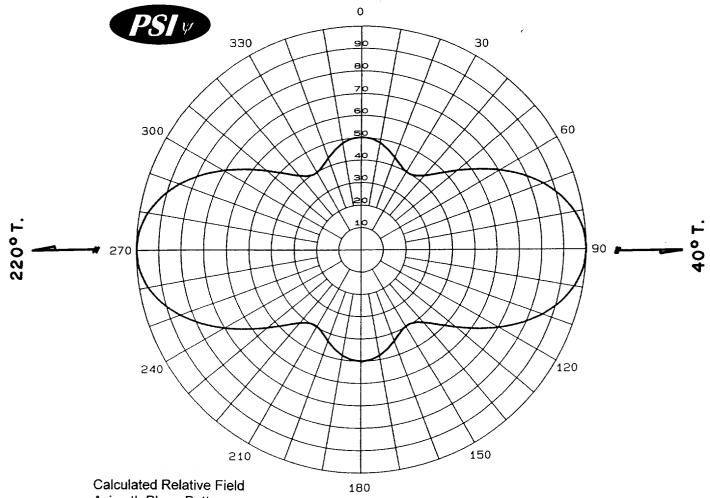
(main-Lobe, maximum): 500 kw

## EXHIBIT E-1

## ANTENNA RADIATION VALUES

# PROPOSED DTV ALLOTMENT CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

Azimuth _(° T)_	Relative <u>Field</u>	ERP (dbk)	Azimuth (° T)	Relative Field	ERP (dbk)
0	0.55	21.8	180	0.55	21.8
10	0.70	23.9	190	0.70	23.9
20	0.85	25.6	200	0.85	25.6
30	0.96	26.6	210	0.96	26.6
40	1.00	27.0	220	1.00	27.0
50	0.96	26.6	230	0.96	26.6
60	0.85	25.6	240	0.85	25.6
70	0.70	23.9	250	0.70	23.9
80	0.55	21.8	260	0.55	21.8
90	0.43	19.7	270	0.43	19.7
100	0.40	19.0	280	0.40	19.0
110	0.44	19.9	290	0.44	19.9
120	0.48	20.6	300	0.48	20.6
130	0.50	21.0	310	0.50	21.0
140	0.48	20.6	320	0.48	20.6
150	0.44	19.9	330	0.44	19.9
160	0.40	19.0	340	0.40	19.0
170	0.43	19.7	350	0.43	19.7



Calculated Relative Field Azimuth Plane Pattern Low Power UHF Slot Antenna Type: PSILP Pattern Type: PN

Directivity: 2.343 (3.698 dB)

Date: 7/1/97 Rev. 0

NOTE: ANTENNA WILL BE MOUNTED SUCH THAT 90° AND 270° ON GRAPH WILL BE ORIENTED AT 40°T. AND 220°T. RESPECTIVELY

### **EXHIBIT E-2**

ANTENNA AZIMUTH PATTERN (RELATIVE FIELD)

PROPOSED DTV ALLOTMENT CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

SMITH AND FISHER

## **EXHIBIT F**

### **ELEVATION AND CONTOUR DATA**

# PROPOSED DTV ALLOTMENT CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

Az. <u>(° T)</u>	Avg. Elv. AMSL 2 to 10 Miles meters*	Effective Ant. Ht. AAT meters	ERP (dbk)	Distance to Predicted Digital Contour (41 dbμ) <u>km.</u>
0	5	143	21.8	67.9
45	4	144	26.8	73.9
90	3	145	19.7	65.8
135	2	146	20.8	67.1
180	1	147	21.8	68.2
225	5	143	26.8	73.8
270	6	142	19.7	65.5
315	6	142	20.8	66.8
200**	5	143	25.6	72.2

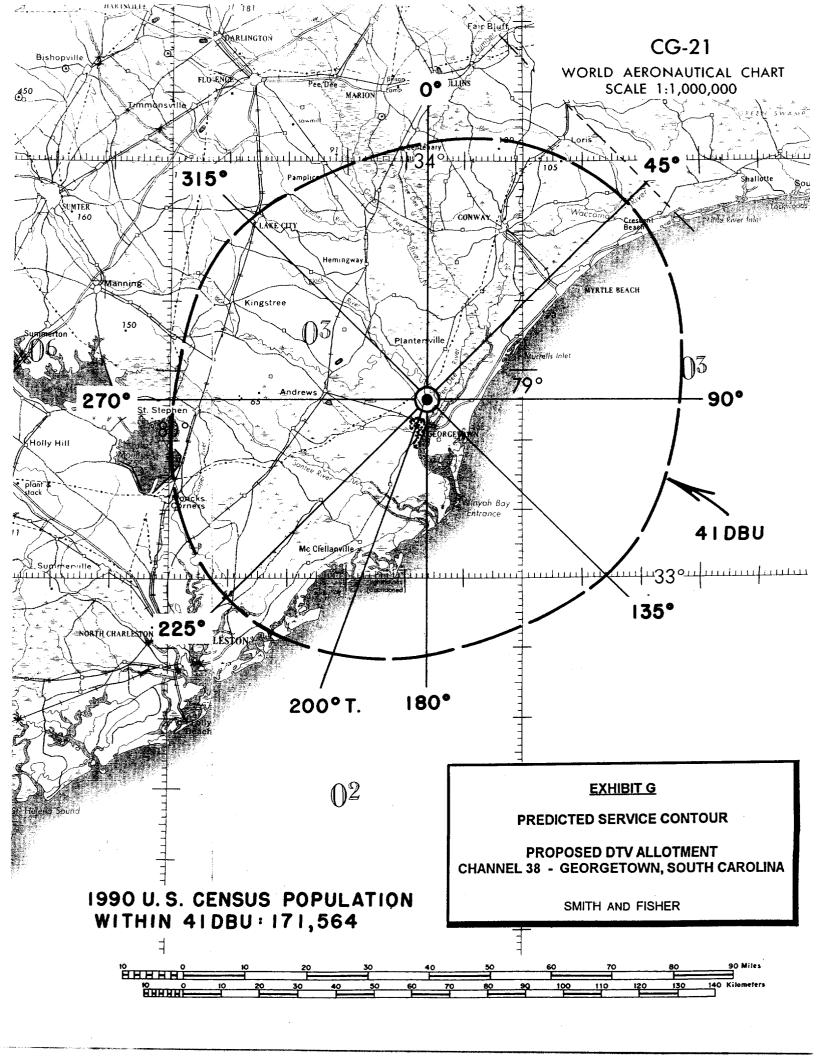
Height of radiation center above mean sea level	148 meters
Height of average terrain above mean sea level	4 meters
Height of radiation center above average terrain	144 meters
Effective radiated power, main lobe, maximum	27.0 dbk, 500 kw

## Geographic Coordinates

N 33° 25' 58" W 79° 16' 16"

<sup>\*</sup>Source of terrain data: Defense Mapping Agency 3-second terrain database.

\*\*Radial through Georgetown – not included in average.



#### ALLOCATION AND INTERFERENCE STUDY

## PROPOSED DTV ALLOTMENT CHANNEL 38 - GEORGETOWN, SOUTH CAROLINA

An interference study was conducted using the operating parameters of the facility described herein to determine if it meets the FCC's *de minimis* interference requirements of Section 73.623(c)(2) of the Commission's Rules. Specifically, the proposed facility may not cause more than two percent interference to the service population of a DTV or NTSC facility, nor can its interference contribution result in an excess of 10 percent total DTV interference to the service population of any DTV or NTSC facility.

The service area of a DTV station is defined as that which is calculated using the Longley-Rice propagation model to receive a signal of 41 dbµ or greater and lies within the predicted 41 dbµ contour of the station using the F(50,90) curves, the station's effective radiated power, and 2-10 mile terrain averages along each radial.

In evaluating the interference effect of this proposal, we have relied upon the V-Soft Communications "Probe" computer program, which has been found generally to mimic the FCC's program. Changes in interference caused by the proposed allotment facility to other pertinent stations were assessed. This proposal did not generate predicted interference to any NTSC or DTV station or allotment, except in one instance. WQHB-DT is assigned on Channel 38 in Sumter, South Carolina. The licensee of WQHB has filed a Petition for Rulemaking to change the DTV assignment from Channel 38 to Channel 39. As a result of that channel change, the instant proposal protects from interference the DTV facility of WQHB on Channel 39. Indeed, Community Television, Inc., supports the WQHB-DT Petition for Rulemaking.

Therefore, this proposal meets the FCC's *de minimis* interference standards as defined in Section 73.623(c)(3) of the Commission's Rules.

## EXHIBIT H-1

It is also important to note that the proposed DTV operation on Channel 38 in Georgetown does not cause predicted interference to any Low Power Television station that has filed for Class A eligibility.